IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN
&
THE HONOURABLE MRS. JUSTICE K.HEMA

TUESDAY, THE 3RD JULY 2007 / 12TH ASHADHA 1929

WP(C).No. 19683 of 2007(P)

PETITIONER:

SUHARA, AGED 52 YEARS, W/O. LATE
KUNJUBUHARI, KUZHIKADAVIL HOUSE,
KATHIYALAM P.O., KARA - 680 671.

BY ADV. SRI.BABU KARUKAPADATH
SMT.M.A.VAHEEDA BABU

RESPONDENTS:
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1. CIRCLE INSPECTOR OF POLICE,
NORTH PARAVUR.

2. ASHRAF, S/O. LATE KUNJUBUHARI,
KUZHIKADAVIL HOUSE, MANNAM P.O.

3. FATHIMA, W/O. MUHAMMED,
KUZHIYILAKATH HOUSE, KOTTUVALLY VILLAGE,
MANNAM P.O., NORTH PARAVUR.

4. MUHAMMED,
KUZHIYILAKATH HOUSE, KOTTUVALLY VILLAGE,
MANNAM P.O., NORTH PARAVUR.

5. HAMSA, S/O. ABDUKUNJU,
KARIYAMPILLY HOUSE, MANNAM P.O., NORTH PARAVUR.

6. MUHAMMEDALI,
PULIKKALAKATH HOUSE, MANJALIKARA, MANNAM P.O.,
NORTH PARAVUR.

R1 BY GOVT.PLEADER SRI P.A.SALIM
BY ADV. SRI.K.A.SHAMSUDEEN
SRI.C.K.ABDUL RAHIM
SRI.M.MATHEW JOSEPH
SMT.K.ANILA

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 03/07/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXTS:

EXT.P1 TRUE COPY OF THE WILL 143/98 OF SRO NORTH PARAVUR.

EXT.P2 TRUE COPY OF THE WILL 5/1999 OF SRO NORTH PARAVUR.

EXT.P3 TRUE COPY OF THE LETTER DTD. 19/10/2006 ISSUED BY THE SENIOR SUPERINTENDENT OF POST OFFICE,ALUVA DIVISION, ALUVA.

EXT.P4 TRUE COPY OF THE PLAINT IN OS.489/06 ON THE FILE OF THE SUB COURT, NORTH PARAVUR.

P.R.RAMAN & K.HEMA, JJ.

W.P.(C).NO.19683 OF 2007

Dated this the 3rd day of July, 2007

JUDGMENT

Raman,J.

Heard both sides.

2. This is a petition seeking police protection so as to enable the petitioner to carry out the repairs in a building let out to the Government of India for running a Post Office. Actually the post office is being run now in the said building. Respondents pursuant to the notice served have entered appearance through counsel and submitted that there is already a suit pending before the civil court and that all the parties in the suits are not made parties herein.

3. As far as the protection is concerned, the limited prayer made is for a direction to give protection so as to enable the petitioner to do necessary repairs in the building let out to the Post Office. Taking into consideration the public interest at large, there may not be any physical obstruction caused to the repairs to be made to the Post Office building. Therefore, if anybody causes any obstruction, the police will render necessary protection to the petitioner. Improvements made

pursuant to the protection order will not give any better right on the petitioner. The civil suit may be decided untrammelled by the order passed as above. This will also not affect the right of the parties in the said civil suit.

Writ Petition is disposed of as above.

P.R.RAMAN,
Judge.

K.HEMA,
Judge.

kcv.